

### **REMARKS/ARGUMENTS**

Applicant has carefully reviewed and considered the Office Action mailed on August 5, 2005, and the references cited therewith.

Claims 1, 4, 18, 25, 28-29, 33-34, and 39-40 are amended, claims 3, 19, 31, and 35-38 are canceled, and no claims are added; as a result, claims 1-2, 4-18, 20-30, 32-34, and 39-40 are now pending in this application.

#### **§ 102 Rejection of the Claims**

Claims 1-4, 6, 11-18, 20-29, and 31-43 were rejected under 35 USC § 102(e) as being anticipated by Cruz-Urbe et al (U.S. Patent No. 6,583,486).

Applicant does not admit that the Cruz-Urbe reference is indeed prior art and reserves the right to swear behind the same at a later date. The Cruz-Urbe reference appears to teach a projection screen that may include pixel elements, the optical properties of each pixel element capable of being individually modified.

As the Examiner stated with respect to allowable claim 19, the Cruz-Urbe reference does not appear to teach a region of the material of the first reflectivity displaced away from the incident projected light surface to make the liquid of the second reflectivity visible through the incident projected light surface when a second electromagnetic field is applied across a region of the reflectivity layer. As such, the independent claims have been amended to indicate such language.

Accordingly, in contrast, independent claim 1, as amended, recites:

a reflectivity layer comprising a material of a first reflectivity suspended in a liquid of a second reflectivity, and wherein the material is displaced toward a light surface when a first electromagnetic field is applied, and further wherein a region of the material is displaced away from the incident projected light surface to make the liquid visible through the light surface when a second electromagnetic field is applied across a region of the reflectivity layer

In addition, independent claim 25, as amended, recites:

the reflectivity of the reflectivity layer is changed by displacing a material of a first reflectivity suspended in a liquid of a second reflectivity towards an incident projected light surface when a first electromagnetic field is applied, and wherein a region of the material is displaced away from the light surface to make the liquid

visible through the light surface when an electromagnetic field is applied across a region of the reflectivity layer

Moreover, independent claim 29, as amended, recites:

wherein the variable surface reflectivity layer comprises a material of a first reflectivity suspended in a liquid of a second reflectivity, and the material is displaced towards an incident projected light surface when a first electromagnetic field is applied, and further wherein a region of the material is displaced away from the light surface to make the liquid visible through the light surface when a second electromagnetic field is applied across a region of the reflectivity layer

Also, independent claim 34, as amended, recites:

wherein the reflectivity layer comprises a material of a first reflectivity suspended in a liquid of a second reflectivity, and the material is displaced towards a light surface when the low intensity projected light is received, and further wherein a region of the material is displaced away from the light surface to make the liquid visible through the light surface when the high intensity projected light is received

In addition, independent claim 39, as amended, recites:

a variable surface reflectivity layer means for displacing a material of a first reflectivity suspended in a liquid of a second reflectivity towards an incident projected light surface when a first electromagnetic field is applied and wherein a region of the material is displaced away from the incident projected light surface to make the liquid visible through the incident projected light surface when a second electromagnetic field is applied across a region of the variable surface reflectivity layer

As such, Applicant respectfully submits that each and every element and limitation of independent claims 1, 25, 29, 34, and 39 is not described, taught, or suggested by the Cruz-Uribe reference. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 102 rejection of independent claims 1, 25, 29, 34, and 39, as well as all claims that depend therefrom.

#### § 103 Rejection of the Claims

Claims 5 and 30 were rejected under 35 USC § 103(a) as being unpatentable over Cruz-Uribe et al (U.S. Patent No. 6,583,486).

Claims 5 and 30 depend from independent claims 1 and 29, respectively. Applicant believes that independent claims 1 and 29, as amended, are patentable over the Cruz-Urbe reference. As such, the Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of dependent claims 5 and 30.

Claims 7-10 were rejected under 35 USC § 103(a) as being unpatentable over Cruz-Urbe et al (U.S. Patent No. 6,583,486) in view of Lambert et al (U.S. Patent No. 6,597,501).

Claims 7-10 depend from independent claim 1. Applicant believes that independent claims 1 and 29, as amended, are patentable over the Cruz-Urbe reference. Nothing from the Lambert reference overcomes the deficiencies of the Cruz-Urbe reference. As such, the Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of dependent claims 7-10.

*Allowable Subject Matter*

Claim 19 was objected to as being dependent upon a rejected base claims, but was indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant kindly thanks the Examiner for identifying allowable subject matter.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney Gregg W. Wisdom at (360) 212-8052 to facilitate prosecution of this matter.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

**CERTIFICATE UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: **MS AMENDMENT** Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on this 19<sup>th</sup> day of October, 2004.

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